

REMARKS

Applicants amend claims 1, 4-10, 12-20 and 22-33 to more appropriately define the claimed subject matter. Applicants cancel claims 2, 3, and 11, without prejudice or disclaimer, to avoid redundancy with claims from which claims 2, 3, and 11 depend. Claims 1, 4-10, 12-20, and 22-33 are pending in this application.

Applicants respectfully traverse the rejection of claims 1-4, 6-12, 14-28, and 30-33 under 35 U.S.C. § 103(a) as unpatentable over WO 99/26415 ("*Bar-El*") in view of U.S. Patent Application Publication No. 2003/0133043 to Carr ("*Carr*").

Claims 1, 4, 6-10, 12, 14-28, and 30-33, as amended, are allowable over *Bar-El* at least because *Bar-El* does not teach or suggest each and every element of independent claims 1, 10, 16, 19, 20, 22, and 26, from which claims 4, 6-9, 12, 14, 15, 17, 18, 21, 23-25, 27, 28, and 30-33 depend. For example, *Bar-El* does not teach or suggest a data transmission method as recited in amended claim 1, comprising, inter alia, "at the viewer apparatus, processing software stored in a data storage medium at the viewer apparatus based on the operation signal to generate first output content data, without requiring any transmission to the transmitter."

Bar-El discloses a "video server 11" that transmits requested video sequences along with video parameters and personalized data to a "user computer 12" (page 7, lines 10-12). An individual "personalization module 62" residing in the "user computer 12" creates personalized videos therefrom (page 17, lines 4-13). "[A] scheduler 42 provides an image selection signal to [a] storage unit 38 which furnishes [a] selected image to [an] image adapter 40. At the same time, the scheduler 42 provides a location signal to the image adapter 40 to indicate onto which section of the surface . . . to implant the selected image" (page 15, lines 1-5). "Image adapter 40 transforms the flat

selected image into one with the perspective of the current frame” (page 15, lines 7-9). “Mixer 44 mixes the adapted image produced by frame adapter 40 with the current frame of the video stream to create one frame (“a personalized frame”) of a personalized video stream” (page 15, lines 22-24). “The user computer 12 also includes a pointing device 16 . . . with which the user can point to objects on the screen” (page 9, lines 1-3). “If the user, once he views the personalized video, indicates the implanted image using pointing device 16, video unit 14 can transmit an indication of this fact, including the name associated with the object, to the video server 11. The video server 11 typically responds to the user’s request and the user identifier 20 (Fig. 2) uses this information to update the user’s profile.” (Page 9, lines 10-14.)

However, *Bar-El* does not teach or suggest “at the viewer apparatus, processing software stored in a data storage medium at the viewer apparatus based on the operation signal to generate first output content data, without requiring any transmission to the transmitter,” as recited in claim 1 (emphasis added). For example, transmitting, to a video server (11), an indication of whether a user has indicated an implanted image using a pointing device (16), as disclosed by *Bar-El*, does not constitute “at the viewer apparatus, processing software . . . based on the operation signal to generate first output content data, without requiring any transmission to the transmitter,” as required by claim 1. The video server (11), and not the user computer (12) of *Bar-El*, responds to the user’s request. The user computer (12), therefore, cannot “generate” any “output content data” “based on” the user’s request without first transmitting the user’s request to the video server (11). Thus, *Bar-El* fails to teach or suggest “at the viewer apparatus, processing software stored in a data storage medium at the viewer apparatus based on

the operation signal to generate first output content data, without requiring any transmission to the transmitter,” as recited in claim 1.

Carr does not make up for these deficiencies of *Bar-El*. The Examiner only relies on *Carr* to allegedly teach that receivers may use software stored in a removable recording medium (Office Action, page 6, paragraph 1).

Independent claims 10, 16, 19, 20, 22, and 26 are allowable over *Bar-El* and *Carr* for reasons similar to those explained above in relation to claim 1. Thus, because claims 6-9 depend from claim 1; claims 12, 14, and 15 depend from claim 10; claims 17 and 18 depend from claim 16; claim 21 depends from claim 20; claims 23-25 depend from claim 22; and claims 27, 28, and 30-33 depend from claim 26, claims 1, 4, 6-10, 12, 14-28, and 30-33 should be allowed over *Bar-El* and *Carr*. Since claims 2, 3, and 11 are cancelled, this rejection is moot as applied to those claims.

Applicants also respectfully traverse the rejection of claims 5, 13, and 29 under 35 U.S.C. § 103(a) as unpatentable over *Bar-El* in view of *Carr*, and further in view of U.S. Patent No. 6,425,825 to Sitrick (“*Sitrick*”). Claims 5, 13, and 29 depend from claims 1, 10, and 26, respectively, and *Sitrick* does not make up for the deficiencies of *Bar-El* and *Carr* in relation to claims 1, 10, and 26. The Examiner only relies on *Sitrick* to allegedly disclose “a system and methodology where replacement predefined character images and existing game display functions . . . may be utilized in association with predefined game character and game display functions” (Office Action, page 27, paragraph 1). Thus, claims 5, 13, and 29 should be allowed over *Bar-El*, *Carr*, and *Sitrick*.

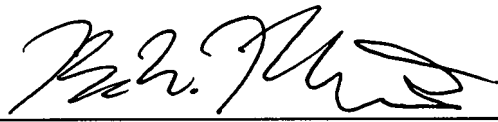
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 14, 2007

By: 

Reece Nienstadt
Reg. No. 52,072